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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-08-00373 JF
11)
Plaintiff,) STIPULATION AND [PROPOSED]
12) ORDER CONTINUING HEARING
vs.)
13)
GABINO VARGAS-BARRAGAN,)
14)
Defendant.)
15 _____)

16 **STIPULATION**

17 The parties hereby stipulate and agree that the initial district court appearance in the
18 above-captioned matter, currently set for Wednesday, August 13, 2008, may be continued to
19 Wednesday, September 10, 2008 at 9:00 a.m. The reason for the requested continuance is to
20 permit defense counsel to review discovery with Mr. Vargas and to facilitate the parties'
21 settlement discussions, while also accommodating defense counsel's expected absence later this
22 month.

23 The parties further stipulate and agree that 28 days may be excluded from the time within
24 which trial shall commence under the Speedy Trial Act, 18 U.S.C. §§3141(h)(8)(A) and
25 (h)(8)(B)(iv), for the effective preparation and continuity of defense counsel.
26

1 Dated: August 12, 2008

2 s/_____
3 CYNTHIA C. LIE
Assistant Federal Public Defender

4 Dated: August 12, 2008

5 s/_____
6 JEFFREY B. SCHENK
Assistant United States Attorney

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8 **[PROPOSED] ORDER**

9 Good cause appearing and by stipulation of the parties, it is hereby ordered that the initial
10 district court appearance in the above-captioned matter shall be continued from August 13, 2008
11 to September 10, 2008 at 9:00 a.m.

12 It is further ordered that 28 days shall be excluded from the time within which trial shall
13 commence under the Speedy Trial Act, 18 U.S.C. §§3141(h)(8)(A) and (h)(8)(B)(iv), as the time
14 reasonably necessary for effective preparation and continuity of defense counsel.

15 Dated: August ___, 2008

16 _____
17 JEREMY FOGEL
United States District Judge